

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 509

SENATE BILL NO. 644

By Marrero, Harper, Ford

Substituted for: House Bill No. 1715

By Mike Turner, Sherry Jones, Richardson, Hardaway, Camper

AN ACT to amend Tennessee Code Annotated, Title 71, relative to TennCare pharmacy benefits.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-5-2401, is amended by adding the following language as a new subsection:

(\_\_\_) The TennCare pharmacy advisory committee shall have recommendation authority over any new proposed deletions or additions to drugs currently on the TennCare Bureau's auto-exemption list. It is the legislative intent that, insofar as practical, the TennCare Bureau shall have the benefit of the committee's recommendations prior to deleting or adding a drug from the auto-exemption list.

(1) The pharmacy advisory committee shall establish a special review subcommittee comprised of practicing medical specialists and medical faculty members of institutions of higher learning with expertise in the usage and prescribing of the medications under review to provide expert advice on such new proposed changes. Any such subcommittee shall be appointed by the chairman in consultation with members of the pharmacy advisory committee.

(2) Meetings of the special review subcommittee established pursuant to this subsection shall meet the requirements of the state's open meetings law and documents relating to any recommendations made by the subcommittee to limit access to a medication or biological under review shall be available under the open records law. Members of the public attending the meeting shall be granted the opportunity to comment on information presented prior to the subcommittee making its final recommendation.

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.

**PASSED: June 17, 2009**



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RON RAMSEY  
SPEAKER OF THE SENATE



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KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 25th day of June 2009



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PHIL BREDESEN, GOVERNOR